

# Exhibit B



Deposition of:  
**David Garcia , M.D.**

*June 21, 2017*

In the Matter of:  
**In Re: Bard IVC Filters Products  
Liability**

**Veritext Legal Solutions**

1075 Peachtree St. NE , Suite 3625

Atlanta, GA, 30309

800.808.4958 | [calendar-atl@veritext.com](mailto:calendar-atl@veritext.com) | 770.343.9696

## In Re: Bard IVC Filters Products Liability

Page 44

1 mean, sometimes we end up lumping things like that  
2 together. But we maybe shouldn't always do so.

3 Q. Explain that a little bit further. I'm not  
4 sure I'm following what you're saying. You're saying  
5 that you should look at those individually?

6 A. Well, I'm saying that in clinical practice,  
7 sometimes all we have is evidence about a product that  
8 is two or three steps removed from what we're  
9 contemplating using. And we may choose to apply that  
10 evidence or consider that evidence, but we've got to  
11 realize that it's got limitations.

12 And, I mean, to the extent possible in both of  
13 these litigations, I'm trying to make my opinions as  
14 pertinent to the specific products that are being  
15 considered as I can.

16 Q. Okay. 'Cause as I read your report, you're  
17 not offering opinions specific about, you know, one  
18 manufacturer's filter versus another manufacturer's  
19 filter. You're offering general opinions about IVC  
20 filters vers -- their use generally versus using them  
21 with anticoagulants?

22 MR. JOHNSON: Form.

23 A. So, what I would say is that I -- I do have  
24 some opinions that I think are relevant to both  
25 litigations, that apply to filters broadly. But I would

## In Re: Bard IVC Filters Products Liability

Page 45

1 say that there are other material facts and opinions  
2 that are specific to --

3 Q. (By Mr. Lerner) Okay.

4 A. -- to products. And I would say that the  
5 section of the report that deals with Kessler --  
6 Kessler's report is an example of, you know, Bard  
7 specific --

8 Q. Okay.

9 A. -- information.

10 Q. That helps me out. So, did you do a similar  
11 addendum in -- for that report in Cook litigation, that  
12 involved reviewing some materials that are specific to  
13 Cook -- any internal documents and regulatory history?

14 A. Yes, there are references in my Cook report to  
15 internal documents as -- as well as some specific  
16 clinical studies of Cook products --

17 Q. Okay.

18 A. -- that were done, you know, for the purpose  
19 of registering Cook products or getting their -- getting  
20 their clearance.

21 Q. Understood. But for purposes of the Bard  
22 litigation, the entirety of your opinions are included  
23 in your report, the addendum -- the Kessler addendum to  
24 your report, and then the case specific to Jones?

25 A. Yes.

## In Re: Bard IVC Filters Products Liability

Page 46

1 Q. Okay. And the general points you make in  
2 your -- in this report, I assume there's large portions  
3 that's copied and pasted in the Cook report?

4 A. Yeah.

5 MR. JOHNSON: Form.

6 A. I -- I would say that there's a lot of overlap  
7 in between the two --

8 Q. (By Mr. Lerner) Okay.

9 A. -- regarding the general opinions about --  
10 about risk and benefit, yes.

11 Q. Okay. And do you currently have any plan to  
12 do any further work on your reports?

13 A. No.

14 MR. LERNER: Okay. All right. Let's turn to  
15 your CV. We'll mark that -- your CV is being marked as  
16 Exhibit-5.

17 (Exhibit-5 marked for identification.)

18 MR. JOHNSON: Thanks.

19 Q. (By Mr. Lerner) And just going back to your  
20 Cook opinions, are you offering any opinions in that  
21 case that Cook filters are safer or less safe than other  
22 filters?

23 A. I don't -- I don't think I am, no.

24 Q. Okay. All right. So, this is a CV that you  
25 prepared and submitted as part of your report. It's